

REMARKS

Claims 1-3, 5-6, 8-13 and 15-18 were rejected in the final Office Action of June 16, 2004. The rejection of these claims was appealed to the Board of Patent Appeals and Interferences, and the Board affirmed the rejection in a decision of October 24, 2007. In response to the Board's decision a Notice of Appeal to the U.S. Court of Appeals for the Federal Circuit appealing the Board's decision was filed on January 23, 2008.

On April 2, 2008 applicant currently filed an RCE with the U.S. Patent and Trademark Office, and an UNOPPOSED MOTION FOR DISMISSAL OF APPEAL with the U.S. Court of Appeal for the Federal Circuit. By order of April 21, 2008 the Court granted the motion for dismissal of appeal. Therefore, the appeal to the Court has been withdrawn.

Applicant also submitted a request for a three (3) month suspension of action under 37 C.F.R. § 1.103(c) currently with the RCE. Accordingly, applicant hereby supplements the response filed on April 2, 2008 with the RCE. Applicant respectfully requests consideration of this supplemental response since it is filed during the three month suspension of action under requested with the filing of the RCE.

In the response filed April 2, 2008 claims 1 and 3 were amended, claim 13 is cancelled and new claim 22 was added. Claims 1 and 3 were amended to include the limitations from cancelled claim 13, and new claim 22 contained the limitations from claims 1, 2 and 10. Applicant hereby submits a declaration under 37 C.F.R. § 1.132 showing that the claims as amended would not be obvious to one of ordinary skill in the art.

Claim Rejections Under § 102

In section 3, on page 2 of the Office Action of June 16, 2004, claims 1-3, 5-6, 8-12 and 15-18 are rejected under 35 U.S.C. § 102(b) as anticipated by Dohjo et al. (U.S. Patent No. 6,078,366). This rejection was addressed in the response filed April 2, 2008, and accordingly applicant does not include any additional remarks with respect to this rejection.

Claim Rejections Under § 103

In section 5, on page 5 of the Office Action of June 16, 2004, claim 13 is rejected under 35 U.S.C. § 103(a) as unpatentable over Dohjo in view of Sakata. In the response filed April 2,

2008, the limitations from claim 13 were incorporated into claims 1 and 3, and claim 13 had been cancelled. Therefore, the rejection of claim 13 as unpatentable in view of Dohjo and Sakata will be addressed with respect to claims 1 and 3. Applicant respectfully submits that claim 1, as amended, is not obvious to one of skill in the art because the claimed invention exhibits a superior property or advantage that a person of ordinary skill in the relevant art would find surprising or unexpected. *In re Mayne*, 104 F.3d 1339, 41 USPQ2d 1451, 1455 (Fed. Cir. 1997); *see also* MPEP § 2145 (rebuttal evidence to a prima facie case of obviousness may include evidence that the claimed invention yields unexpectedly improved properties or properties not present in the prior art).

Applicant hereby submits a declaration from inventor Hironori Aoki stating that the claimed invention is capable of reducing the contact resistance between the auxiliary capacitance line and the collected auxiliary capacitance line to the level of several tens ohm, while the conventional array substrates are difficult to reduce the contact resistance between the auxiliary capacitance line and the collected auxiliary capacitance line to the level of several tens ohm. The declaration includes comparative data showing the contact resistance produced by the claimed invention in relation to the contact resistance of the prior art.

Therefore, the combination of a scanning line formed of partly or wholly nitridated aluminum or partly or wholly nitridated aluminum alloy, as recited in claim 1 and 3, with the configuration of claims 1 and 3 produces unexpected results, because it is possible to reduce the contact resistance to tens of ohms, an order of magnitude less than the contact resistance mentioned in Sakata. Accordingly, applicant respectfully submits that claims 1 and 3 are not obvious in view of the combination of Dohjo and Sakata, because the combination recited in claims 1 and 3 produces unexpected results compared to the cited references.

Therefore, the claims depending from claims 1 and 3 are also not obvious in view of the cited references.

New independent claim 22 contains limitation similar to those recited in claim 1. Therefore, for at least the reasons discussed above in relation to claim 1, new independent claim 22 is believed to be novel and nonobvious over the cited references.

Conclusion

For at least the foregoing reasons, the present application is believed to be in condition for allowance, and such action is earnestly solicited. The undersigned hereby authorizes the Commissioner to charge Deposit Account No. 23-0442 for any fee deficiency required to submit this response.

Respectfully submitted,

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